Attorney Docket No. 56450 (45579)

1-222

: 4.

NOTIFE LINETED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS Larsson, et al.

EXAMINER:

Clinton T. Ostrup

U.S.S.N.:

09/945,242

GROUP:

1614

FILED:

August 31, 2001

Conf. No.

1297

FOR:

LUNG SURFACTANT COMPOSITIONS WITH DYNAMIC SWELLI

BEHAVIOR

Commissioner for Patents Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on <u>December 16</u>, 2002.

By: / / / / / / / Helen Murray Tarbi

Sir/Madam:

RESPONSE TO RESTRICTION REQUIREMENT

Applicants respond as follows to the Restriction Requirement as set forth in the Office Action dated November 18, 2002.

Applicants hereby elect Group I, claims 1-60, drawn to a composition and methods of using the composition with traverse. The election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter in the application. The right to file divisional applications based on the non-elected claims is reserved.

Attorney Docket No.56450 (455 U.S.S.N. 09/945,242 Filing date: August 31, 2001

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Response to Restriction Requirement

Although it is not believed that any fee is required to consider this submission, the Examiner is hereby authorized to charge our deposit account 04-1105 should any fee be deemed necessary.

Respectfully submitted,

Date: <u>Dec. 16, 200</u>2

Dianne M. Rees, Ph.D.

(Reg. No. 45,281)

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